

Popejoy Family Pioneer Settlers of Livingston County

By: Dale C. Maley
For: FairburyNews.net
Date: September 25, 2023

The story of the Popejoy family began with the birth of William Champion Popejoy Sr. in Darke County, Ohio, in 1793. His parents were John Terrance Popejoy (1753-1825) and Mary Ann Champe (1763-1821).

The Kickapoo tribe moved from Leroy to three miles south of Fairbury in 1828. There were 630 members of the tribe living south of Fairbury. In 1830, the Kickapoo moved ten miles east to a location three miles south of Chatsworth. The Kickapoo village included a permanent council house and ninety-seven wigwams.

Just as the Kickapoo left Fairbury for Chatsworth, the Valentine Darnall family settled south of Fairbury in 1830. Back in Ohio, William C. Popejoy married Rebecca Hannaman. He was 37, and she was 25 years of age when they married. They had four children.

In 1831, the William Popejoy family moved from Ohio to Avoca Township, about four miles north of Fairbury. In 1832, the McDowell family settled on the South Branch of the Vermilion River, about five miles north of Fairbury. They established the Avoca village slightly south and west of the Avoca Cemetery's current location.

In 1832, the Blackhawk War broke out. The early settlers around Fairbury became concerned the Kickapoo tribe might join the war. The Kickapoo Chief told pioneer Chatsworth settler Franklin Oliver that he could stay on his farm, but the other settlers should temporarily return to Indiana until the war ended. The early settlers, including the McDowells and Popejoys, went to Indiana until the war ended. At the conclusion of the five-month-long Black Hawk War, the Kickapoo were forced to leave the state of Illinois.

Livingston County was formed in 1837, with Pontiac designated as the county seat. In 1840, William Popejoy purchased four tracts of land from the federal government. William purchased 280 acres in Section 11 of Avoca Township and paid the federal government \$1.25 per acre. William's farm was about one mile north of the village of Avoca.

Also, in 1840, Mr. Popejoy asked Mr. Wilson, another pioneer settler, if he could rent his horse for a trip to Bloomington and back. Mr. Popejoy agreed to care for, feed and shod the horse, plus pay Mr. Wilson \$1. Mr. Popejoy made the trip to Bloomington and returned the horse to Mr. Wilson. Unfortunately, the horse died soon after it was returned home. Mr. Wilson sued Mr. Popejoy and alleged that Mr. Popejoy had not taken proper care of his horse and requested \$300 in damages. Mr. Popejoy retained 31-year-old Abraham Lincoln as his attorney. Isaac Wilson retained Stephen A. Douglas as his attorney.

Since Livingston County was founded in 1837, no permanent courthouse had been built by 1840. The court hearings were held in a cabin owned by Henry Weed. The jury held its deliberations on a pile of sawn logs on the banks of the Vermilion River in Pontiac.

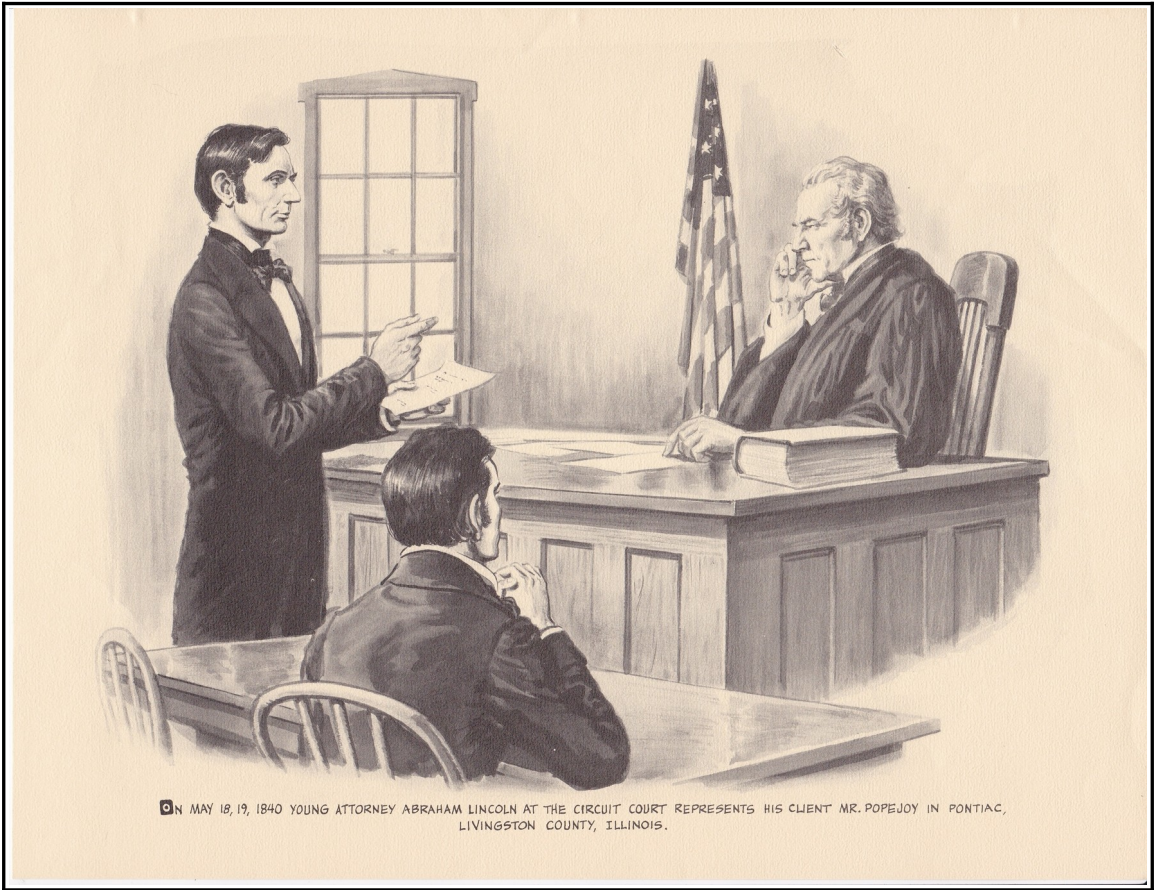
The trial of Wilson versus Popejoy was held in May of 1840. This trial was the first legal case ever decided in Livingston County. Mr. Lincoln lost the case, and the jury found in favor of Mr. Wilson. However, Mr. Lincoln was able to get the \$300 sought by Mr. Wilson reduced to \$70.25.

A few months later, Isaac Wilson alleged that William Popejoy had stolen meat from Mrs. William McDowell in the village of Avoca. Mr. Popejoy said he had not stolen the meat and sued Mr. Wilson for slander. Mr. Popejoy continued to use Abraham Lincoln as his attorney for this legal matter. Mr. Wilson fired Stephen A. Douglas, one of the most famous lawyers in Illinois, because of his poor performance on the first lawsuit. Mr. Wilson hired Burton C. Cook as his attorney in the second lawsuit.

The court hearing for the slander suit of Popejoy versus Wilson was conducted in Pontiac in October of 1840. Mr. Lincoln won this case, and the jury awarded \$2,000 to Mr. Popejoy. This amount was considered a significant judgment in that era. This amount of money would be equivalent to \$52,620 in today's dollars.

William Popejoy spent several years farming in Livingston County before moving to Cropsey in McLean County. In October 1845, William Popejoy signed a contract to build a new house. The contractor, James S. Coberly, built a frame house twenty-eight feet long, eighteen feet wide, and nine feet high. There was a porch on each side of the house and one room eight feet square at each end of one porch. William was to furnish the timber from his farm and all other materials. The contract related to the construction cost was one hundred thirty dollars, which was paid in cows, pork, one horse, and a two-horse wagon. The cows were given to Mr. Coberly when the work started, a horse and three hundred pounds of pork on March 1, 1846, and the balance on December 1, 1846. William Popejoy died in 1848 at the age of 55.

Subsequent generations of descendants of William Popejoy continued to live in the Cropsey area. William Popejoy is the third great-grandfather of Ray Popejoy, founder of Popejoy Plumbing, Heating, Electric, and Geothermal company in Fairbury.



ON MAY 18, 19, 1840 YOUNG ATTORNEY ABRAHAM LINCOLN AT THE CIRCUIT COURT REPRESENTS HIS CLIENT MR. POPEJOY IN PONTIAC, LIVINGSTON COUNTY, ILLINOIS.